

VZCZCXRO4666
RR RUEHPA RUEHTRO
DE RUEHNK #0014 0111034
ZNY CCCCC ZZH
R 111034Z JAN 10
FM AMEMBASSY NOUAKCHOTT
TO RUEHC/SECSTATE WASHDC 9014
INFO RUEHZK/ECOWAS COLLECTIVE
RUCNMGH/MAGHREB COLLECTIVE

C O N F I D E N T I A L NOUAKCHOTT 000014

SIPDIS

E.O. 12958: DECL: 01/10/2015

TAGS: PHUM PREL PGOV MR

SUBJECT: AMBASSADOR RAISES CASE OF DETAINED JOURNALIST OULD DAHAH WITH JUSTICE MINISTER

REF: NOUAKCHOTT 823

Classified By: Ambassador Mark M. Boulware for reasons 1.5 (b and d)

¶1. (C) On January 7, 2010 Ambassador called upon Minister of Justice Ahmedou Tidjane Bal to express USG concern about the continued detention of website editor Hanevy Ould Dahah apparently without legal justification given that his sentence had been completed on December 24, 2009. Ambassador also noted that Ould Dahah's ongoing hunger strike further raised the stakes for the GIRM in an affair that was attracting increasing and negative attention not only in Washington but in other capitals, as well. Stating that he would never seek to have the minister intercede with the judiciary, the Ambassador said that the continuing detention appeared to be entirely in the hands of the executive.

¶2. (C) Minister Bal thanked the Ambassador for his interest and indicated that he was keenly aware of the public relations costs for the GIRM. He said that this represented another attempt by the political opposition to unjustly discredit the government. Bal acknowledged that Ould Dahah would have been eligible for release based on the completion of his original sentence even though the state prosecutor's appeal of that sentence to the Supreme Court was still pending. He asserted, however, that the prosecutor, in addition to appealing the sentence for which Ould Dahah had been convicted, had introduced new charges against him which provided the legal basis for his continued detention while these charges were before the court. Admitting that the additional charges &were not widely known,⁸ Minister Bal said that he nonetheless hoped that an early decision by the Supreme Court, now back to work after the holiday, would dispose of the matter quickly.

¶3. (C) Ambassador Boulware thanked the minister for the new information about additional charges but said that even if minimum legal hurdles were met the GIRM had not made this case publicly and that, in any event, it was doubtful that critics would find this to be evidence of the GIRM's commitment to the rule of law. He urged the Minister to consider how this and similar cases hampered the ability of Mauritania's friends to rally support for development and assistance activities. Minister Bal reiterated his personal hope and belief that this particular case would be resolved soon and assured the Ambassador of his continuing determination to uphold human rights and the rule of law.

¶4. (C) Comment: After nearly two weeks of absolute silence on this matter, the GIRM's latest and private assertion of new charges against Ould Dahah does not inspire confidence. Even if a legal fig leaf has been found to justify the continuing detention, the GIRM is taking a drubbing in the court of public opinion where the Ould Dahah case is seen as nothing more than the settling of political scores. Post will continue to raise this case at high levels.

BOULWARE